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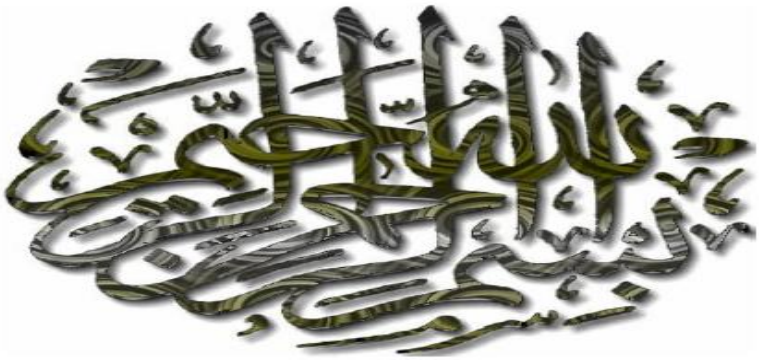
Generic Islamic Last Will and Testament: A Guide for South Carolina Muslims

In the Name of Allah, Most Gracious, Most Merciful.

Obtained from http://abdurrahman.org/finaljourney/MyRighttoJanazah.pdf



My Right to Janazah

The Islamic Will

Testator: _____

Spouse: _____

Executor of the Will: _____

Publicizing this will is not an endorsement of any association or any group, nor is it meant to solicit any commercial benefits.

بسم الله الرحمن الرحيم

In the Name of Allah, the Beneficent, the Most Merciful,

I introduce my

LAST WILL AND TESTAMENT

OF _____

SS# _____

ARTICLE 1: PREAMBLE

All praise is for Allah (subhaanahu wa ta'aalaa, the One free of all imperfection, the most High) the creator of the heavens. I praise Him; I seek His help and His forgiveness. I believe in Him and put my trust entirely in Him. I seek refuge with Allah (subhaanahu wa ta'aalaa) from the evils of myself and my deeds. Whom Allah (subhaanahu wa ta'aalaa) guides no one can mislead, and whom Allah (subhaanahu wa ta'aalaa) misleads no one can guide. I testify that there is no true deity except Allah, He is One and has no partners, and I further testify that Muhammed (peace and blessings of Allah be upon him) is Allah's slave, final and Last Prophet and Messenger.

I, _____, a Muslim, presently resident of

_____ _____, being of sound mind and memory declare the following is my will (wasiyyah). I do hereby revoke any and all former wills and codicils that I have previously made.

I ask all my relatives, friends, and others, whether they be Muslims or non-Muslims, to honor my right to be a Muslim. I ask them to honor the spirit and letter of this document and not to try to obstruct or change it in any way. Let them see to it that I am buried as a Muslim should be, and my properties are divided, as I wanted them to be divided according to the Sunni (Orthodox) Muslim laws of inheritance. I ordain that under no circumstances should the contents of this will be changed voluntarily.

ARTICLE II: MY IMMEDIATE FAMILY

If single, not married, then mark here □.

1. *I am married to _____ and all references in this will to my husband/wife are to him/her.*
2. *I am the father/mother of the following children whose names and dates of birth are:*

1. _____ _____
2. _____ _____
3. _____ _____
4. _____ _____
5. _____ _____
6. _____ _____

ARTICLE III: EXECUTOR AND BENEFICIARY

1. *I hereby give all my estate: cash, bank accounts, real property, shares in any business, and any other property not mentioned in this will, to the person named blow, who shall act also as an executor to serve without bond, to distribute it according to Sunni (Orthodox) Muslim Shariah.*
2. *My husband/wife _____, or, if he/she fails to survive me by 45 days,*
3. *_____, or, if he/she fails to survive me by 45 days,*
4. *_____, or, if he/she fails to survive me by 45 days,*
5. *_____, or, if he/she fails to survive me by 45 days,*
6. *The Imam of the local Sunni (Orthodox) Muslim community.*
7. *I ordain that the executor of this will be a Muslim.*
8. *I direct that the executor take all actions legally permissible to have the probate of my estate done as simply and as expeditiously as possible.*
9. *I give my executor named above power to sell any property, real, personal or mixed, in which I have interest, without a court order and without bond.*
10. *I give my executor power to settle any claim for or against my estate.*

ARTICLE IV: BURIAL ARRANGEMENTS

I ordain that:

1. *My body be prepared for burial in keeping with the Sunni (Orthodox) Muslim Law (Shariah),*
2. *Under no circumstances, my body be voluntarily turned over for an autopsy or embalming or for organ donation.*
3. *My body be prepared for burial by Sunni (Orthodox) Muslims according to the dictate of Shariah (Sunni Islamic Law). Once the body is prepared for burial there is to be no viewing of my remains.*
4. *Absolutely no non-Islamic religious service or observance shall be conducted upon my death, or on my body or at the grave site. No pictures, crescents and stars, decorations, crosses, flags, flowers, plants, any symbols or music be involved at any stage of my burial.*
5. *My body may not be transported over any unreasonable distance from the locality of death unless necessitated by the circumstances or consensus of my Muslim family members.*
6. *My grave me dug in complete accordance with the Islamic practice. It should face in the direction of the Qiblah (towards the Ka'aba at Makkah, Saudi Arabia).*
7. *My body be buried without casket or any other encasement that separates the shroud from the surrounding soil.*
8. *My grave be covered with dirt only. The marking, if necessary, should be a simple rock. There should be no inscriptions or symbols.*
9. *My burial should take place as soon as possible, preferable before sunset on the day of my death or the following day. Under no circumstances should the burial be unduly delayed.*
10. *In the event that the local laws require casket encasement, I command that such encasement be of the simplest, most modest, and least expensive type possible and I furthermore command that the encasement be left open during burial and filled with dirt unless prohibited by law.*

No one is permitted to cry out, moan or wail. I demand that such a person leave the burial site. Only what comes from the eye is acceptable (tears). Muslims should say a duaa for me "(that Allah bestows firmness upon me when they bury me and put the dirt into my grave"). No recitation of the Qur'an is to be permitted over my grave.

ARTICLE V:

CUSTODY OF MINOR CHILDREN AND GUARDIAN

If at my death any of my children are minors, I recommend that my husband/wife _____ be appointed guardian of the person(s) of my minor children, provided he/she is a Muslim. If he/she is unable or unwilling to serve as personal guardian, I recommend that _____ be appointed guardian of the person(s) of my minor children. If he/she is unable or unwilling to serve as personal guardian, I recommend that _____ be appointed guardian of the person(s) of my minor children. In all cases, I urge that all my minor children be raised to be practicing Muslims and not in any way be indoctrinated into any other faith or religion. I direct that no bond be required of any personal guardian.

Any property or other inheritance that this will gives to any of my minor children shall be administered by their personal guardian in the best interest of the children.

ARTICLE VI: DEBTS AND EXPENSES

I direct my executor:

1. *To return to the rightful owners all trust and properties that are in my care at the time of my death.*
2. *To first apply the assets of my estate to the payment of all my legal debts, including such expenses incurred by my last illness and burial as well as the expenses of the administration of my estate.*
3. *To pay any outstanding "obligation due to Allah (suhaanahu wa ta'aalaa)" (huquq Allah) which is binding on me including unpaid zakat, kaffaraat (expiations) of unperformed rituals in pilgrimage (Hajj), etc.*

ARTICLE VII: BEQUESTS

I direct my executor to:

Pay the following amount from the remainder of my estate after paying all the expenses mentioned above, to the person/s or organization/s named below. The total must not exceed 33 percent (one third) of the remainder of my estate.

1. _____ ..... % of the total remainder

2. _____ ..... % of the total remainder

3. _____ ..... % of the total remainder

4. _____ ..... % of the total remainder

5. _____ ..... % of the total remainder

TOTAL BEQUESTS (must not be more than 33%) ..... % of the total remainder

ARTICLE VIII:

DISTRIBUTION OF THE REMAINDER OF MY ESTATE

I direct my executor to:

1. Distribute the residue and remainder of my estate strictly in accordance with the tenets of Sunni (Orthodox) Muslim law of inheritance.
2. Ensure that no part of the remainder of my estate shall be inherited by any non-Muslim, no matter how he/she is related to me.
3. Ensure that should I die as a result of murder, no part of the remainder of my estate shall be inherited by my adjured murderer responsible for direct unlawful killing (actionable homicide), no matter how he/she is related to me.
4. Ensure that no part of the remainder of my estate shall be inherited by a person whose claimed relationship to me, ascending or descending, is the result of a non-Islamic or unlawful marriage, or through adoption, except if this relationship to me is through his/her mother who is biologically (through blood) related to me or if he/she is specifically mentioned in bequests above.
5. Regard a fetus, conceived before my death, whose relationship to me qualifies it to be an heir according to this article if it is born alive within the limit of time specified by Shariah. If such a fetus exists at the time of my death, the executor may delay the distribution of the residue and remainder of my estate after the execution of Articles I to VII, until after the birth of the fetus. If he/she chooses to distribute the estate prior to the birth of the fetus then he must withhold a portion of the estate equal to the share of the fetus for distribution until after the birth of the fetus.
6. That in case of any difficulty in distributing my estate according to this will, the matter should be referred to a Muslim knowledgeable in Islamic Inheritance Law for advice and guidance.
7. That the residue and remainder of my estate after the execution of Articles I to VII and Article VIII sections 1 to 6 above be donated to the following person/s or organization/s for the establishment of Islamic communities and Masaajid.
8. _____
   _____
9. That any portion of my estate disclaimed or refused to be received by any of the legatees names or referred to in this document be donated to the

following person/s or organization/s for the establishment of Islamic communities and Masaajid.

10. _____

ARTICLE IX: SEPARABILITY

I direct that no part of this will be invalidated by a court unless competent in Sunni (Orthodox) Muslim Law. If any part of this will is determined invalid by a court, the other parts shall remain valid and enforceable.

I subscribe my name to this will this day _____ *at* _____ *and do hereby declare that I sign and execute this instrument as my list will and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am of the age of majority or otherwise legally empowered to make a will, and under no constraint or undue influence.*

_____

Name *Signature* *Date / /*

WITNESSES

On this _____ *day of* _____,

_____ *declared to us, the undersigned, that this instrument was his/her will and requested us to act as witnesses to it. He/She thereupon signed this will in our presence, all of us being present at the same time. We now, at his/her request, in his/her presence, and in the presence of each other, subscribe our names as witness and declare that we understand this to be his/her last will, and that to be the best of our knowledge the testator is of the age of majority, or is otherwise legally empowered to make a will, and under no constraint or undue influence.*

We declare under penalty of perjury that the foregoing is true and correct.

Witness 1.

_____

Witness 2. _____

Notary Public _____ *date*

_____

My Commission Expires _____

Distribution of Inheritance According to the Book of Allah (Al-Quran)

Allah says in Sura An-Nisaa: 7-14

7. There is a share for men and a share for women from what is left by parents and those nearest related, whether, the property be small or large - a legal share.

8. And when the relatives and the orphans and Al-Masâkin (the poor) are present at the time of division, give them out of the property, and speak to them words of kindness and justice.

9. And let those (executors and guardians) have the same fear in their minds as they would have for their own, if they had left weak offspring behind. So let them fear Allâh and speak right words.

10. Verily, those who unjustly eat up the property of orphans, they eat up only a fire into their bellies, and they will be burnt in the blazing Fire!

11. Allâh commands you as regards your children's (inheritance); to the male, a portion equal to that of two females; if (there are) only daughters, two or more, their share is two thirds of the inheritance; if only one, her share is half. For parents, a sixth share of inheritance to each if the deceased left children; if no children and the parents are the (only) heirs, the mother has a third; if the deceased left brothers or (sisters), the mother has a sixth. (The distribution in all cases is) after the payment of legacies he may have bequeathed or debts. You know not which of them, whether your parents or your children, are nearest to you in benefit, (these fixed shares) are ordained by Allâh. And Allâh is Ever All-Knower, All Wise.

12. In that which your wives leave, your share is a half if they have no child; but if they leave a child, you get a fourth of that which they leave after payment of legacies that they may have bequeathed or debts. In that which you leave, their (your wives) share is a fourth if you leave no child; but if you leave a child, they get an eighth of that which you leave after payment of legacies that you may have bequeathed or debts. If the man or woman whose inheritance is in question has left neither ascendants nor descendants, but has left a brother or a sister, each one of the two gets a sixth; but if more than two, they share in a third; after payment of lagacies he (or she) may have bequeathed or debts, so that no loss is caused (to anyone). This is a Commandment from Allâh; and Allâh is Ever All-Knowing, Most Forbearing.

13. These are the limits (set by) Allâh (or ordainments as regards laws of inheritance), and whosoever obeys Allâh and His Messenger (Muhammad SAW) will be admitted to Gardens under which rivers flow (in Paradise), to abide therein, and that will be the great success.

14. And whosoever disobeys Allâh and His Messenger (Muhammad SAW), and transgresses His limits, He will cast him into the Fire, to abide therein; and he shall have a disgraceful torment.

SCHEDULE

SURVIVORS AND THEIR SHARE

("AS ABOVE" MEANS ALL THE CONDITIONS THAT

PRECEDE IN THIS SCHEDULE)

1. *No survivors or any of the conditions mentioned below: after meeting all the conditions described in articles I to IX and in this schedule all remainder should be given to:*

   _____

2. *One or more sons, and/or one or more daughter, no other. He, she, or they get all remainder, sons get equal amount and daughters get equal amount. Daughter/s gets only half as much total as son/s. If there are other survivor/s, wife/husband/mother/father. Grand parents receive they get their share before son/s and daughter/s.*
3. *Wife: She gets 1/8 (12.5%); rest as above. If no other survivors she gets ¼ (25%); rest as above. If more than one wife they divide wives' share equally among them.*
4. *Husband: He gets ¼ (25%); rest as above. If no other survivors, he gets ½ (50%) rest as above.*
5. *Father: He gets 1/6 (16.67%); rest as above. If no other survivors, he gets all. If only father and mother survive mother gets 1/3 and father the rest. If only father and one daughter survive: Father gets ½ (50%) and the daughter gets ½ (50%). If only father and more than one daughter survive: Father gets ½ (50%) and the daughter gets ½ (50%). If only father and more than one daughter survive: Father gets 1/3 (33.33%) and the daughters divide equally the rest 2/3 (66.67%).*
6. *Mother: She gets 1/6 (16.67%); rest as above. If no other survivors, she gets all. If father and mother survive mother gets 1/3 and father the rest. If only mother and one daughter survive: Mother gets ¼ (25%) and the daughter gets ¾ (75%). If only mother and more than one daughter survive: Mother gets 1/5 (20%) and the daughters divide equally the rest 4/5 (80%). (Any combination of 2 to 6: Spouse and parent get their share before offspring.)*
7. *Father, mother and one daughter; no other: Father gets 1/3, mother 1/6 and daughter ½. If more than one daughter: Father and mother get 1/6 each and 2/3 equally divided among the daughters.*

8. *Father, wife and one daughter, no other: 1/3 to father, 1/8 to wife and ½ to daughter. If more than one daughter: 2/3 equally divided among them, 1/8 to wife and 5/24 to father.*
9. *Mother, wife and one daughter, no other: 1/8 to wife, 7/32 to mother and 21/32 to daughter. If more than one daughter: 1/8 to wife, 7/40 to mother and 7/10 equally divided among the daughters.*
10. *Father, mother, wife and one daughter: 1/8 to wife, 1/6 to mother, 5/24 to father, and ½ to daughter. If more than one daughter: 3/27 to wife, 4/27 to mother, 4/27 to father and 16/27 equally divided among the daughters.*
11. *Husband, father and one daughter: ¼ to husband, ¼ to father and ¼ to daughter. If more than one daughter: 3/13 to husband, 7/36 to mother, 5/9 to daughter. If more than one daughter: 3/13 to husband, 2/13 to father, and 8/13 to daughters equally.*
12. *Husband, mother and one daughter: ¼ to husband, 7/36 to mother, 5/9 to daughter. If more than one daughter: 3/13 to husband, 2/13 to mother and 8/13 to daughters equally.*
13. *Husband, parents and one daughter: 3/13 to husband, 2/13 to mother, 2/13 to father and 6/13 to daughter. If more than one daughter: 3/15 to husband, 2/15 to mother, 2/15 to father and 8/15 to daughters equally.*
14. *For any other combination of survivors, the following principles would be followed and their share determined in consultation with a knowledgeable Muslim.*

For explanation of technical terms, an authentic book on Islamic Law of Inheritance may be consulted. One such book is "Islamic Law of Inheritance" by Muhammad Mustafa Khan, published by Kitab Bhavan, New Delhi, India

THE GOLDEN PRINCIPLES OF ISLAMIC LAW OF INHERITANCE

Position of Spouses

(1). The husband is entitled to ½ (maximum) or ¼ minimum) share from the property of their deceased husband.

(2). The wife or wives are entitled to ¼ (maximum) or 1/8 (minimum) share from the property of the deceased husband.

(3). The spouse (husband or widow/s as the case may be) get the maximum share i.e. Husband 1/3 and the widow ¼ if the deceased spouse does not leave behind his or her (i.) child and (ii.) any agnatic descendant (the child of any agnatic male descendant however so low).

(4). If the above two conditions are not satisfied the spouse is entitled only to the minimum share (1/4 in case of husband and 1/8 in case of widow/s).

(5). Widow/s who were divorced by the deceased husband are entitled to their right of inheritance provided the divorce was 'Rajai' (revocable) or it was 'Bain' (irrevocable) but the husband died during iddat period of the widow.

(6). Spouses are primary heirs so they are never excluded. Neither they exclude blood relations nor they are exclude by any blood relation.

Position of Parents

(1). Both mother and father are primary heirs so they are never excluded. If alive they are always entitled to a share: mother 1/3 (maximum) or 1/6 (minimum); father 1/6 (minimum) or the entire amount if no other heirs are present. Mother excludes all types of grandmothers maternal as well as paternal. Paternal grandmothers are also excluded by father.

Position of Grandparents

(1). Paternal grandparents and great grandparents substitute parents if they are predeceased. The nearer one excludes the distant. However grandfather is not entitled to the special treatment; when mother and spouse are alive they take their maximum share. Grandfather does not exclude paternal grandmother. The grandmother/s, unlike mother, gets only 1/6. She never gets 1/3.

Position of Children and Descendants

(1). Sons and daughters are primary heirs. They always inherit.

(2). A son's daughter/s become heirs like a daughter if he, the son, is predeceased. If there is one daughter, then son's daughter/s get 1/6; if there are more than one daughter then son's daughter/s are excluded. In the presence of her male counterpart (e.g. son's son) a son's daughter becomes a residuary and shares the residue according to the principle "double share to male". Daughter' or son's daughter's position is not affected by marriage, dissolution of marriage, place of residence etc.

(3). A son's son is completely excluded by a son.

Position of Brothers and Sisters

(1). Uterine brothers and sister (related through mother only) do not inherit in the presence of father, grandfather, daughters, son, son's son and son's daughters.

(2). Full brothers and sisters do not inherit in the presence of father, sons and son's sons. They are also excluded by the true grandfathers, with few exceptions.

(3). The full brother converts the full sisters into a residuary and they inherit the residue in the ration 2:1. Same principle applies to consanguine brothers and sisters.

Position of Other Relatives

(1). The following relations have no claim except if they are mentioned in No. 1 above or in article VII. Stepchildren, daughter/s-in-law, son/s-in-law, parent/s-in-law, brother/s and sister/s-in-law, adopted children, any other person not related by blood to the deceased.

(2). In some cases where certain heirs mentioned above do not survive, certain distant blood relatives may be entitled. In all such situations, a knowledgeable Muslim may be consulted to determine their share.

Principle of *Awl* and *Raad*

(1). Principle of Awl (When the total sum of the fractional shares allotted to the Quranic heirs exceeds unity, the already allotted shares are readjusted by using a procedure where all shares are reduced proportionately. This situation arises only in the presence of daughters or sisters.) and Raad (When the total sum of the fractional shares allotted to the Quranic heirs is less than unity. The shares are readjusted in proportion to their already allocated shares. This situation may arise in the absence of a residuary heir.) may be applied in cases where necessary.

HEALTH CARE PROXY AND LIVING WILL

If the time comes when I am incapacitated to the point where I can no longer actively take part in decisions for my own life and am unable to direct my physician as to my own medical care, I wish this statement to stand as a testament of my wishes.

I,

_____

*Residing at*_____

hereby appoint the following individual as my health care agent.

Name: _____

Phone No: _____

Address:

_____

This health care proxy shall take effect if and when I become unable to make my own health care decisions.

In respect of each decision made for me by my agent, it is my wish and direction that my agent be guided solely by my agent's Islamic faith as to what my own decision would have been in the same circumstances. Without limiting the unrestricted scope of my agent's authority hereunder, I expressly authorize my agent to direct that no treatment be conducted or withheld from me if to do so is against the teachings of Islam, to the best of understanding of my agent. I direct that medication be judiciously administered to me to alleviate pain. I do not intend any direct taking of my life. I also direct that "life support systems" may be used in a judicious manner and its use discontinued, just like any other medicine, if it becomes reasonably apparent that it has no curative value. The "life support systems" include but are not limited to artificial respiration, cardiopulmonary resuscitation, artificial means of providing nutrition and hydration, and any pharmaceutical drugs.

I direct that my family, all physicians, hospitals and other health care providers and any court or judge honor the decision of my agent/alternate agent. This request is made, after careful reflection, while I am of sound mind.

Signature: _____

Dated: _____

We, the undersigned witnesses, declare that the person who signed this document is personally known to us and appears to be at least eighteen years of age, of sound mind and able to understand the nature and consequences of health care decisions at the time this document was signed, and acting willingly and free from duress. The person signed this document in our presence. We are not the persons appointed as agent or alternate agent by this document and we sign this document as witnesses on this person's request.

Signature: _____

Dated: _____

Name of Witness: _____

Address: _____

Signature: _____

Dated: _____

Name of Witness: _____

Address: _____

Originally prepared by
Islamic Association of Raleigh
Raleigh, North Carolina

Sample Islamic Last Will and Testament:

In the name of Allah, the Most Beneficent, the Most Merciful

LAST WILL AND TESTAMENT

I, Muksin Salahudeen presently residing at 571 sirata almustaqeem, Moncks Corner, South Carolina county of Berkeley province of _____ being of sound mind and memory, do hereby revoke any and all former Wills and codicils made by me, and do make, ordain, publish, and declare this my Last Will and Testament.

PREAMBLE

I request that if I am found to be dying, and death is certain, please notify those of the righteous whom you know to mention Allah (thikr) on my behalf; such as saying: La Ilaha Illa Allah (no God but Allah). I ask the attendants of my death to read much from the Holy Quran, in addition to AUTHENTIC supplications from the prophet (P.B.U.H.) or personal supplications that are not contradictory to the Quran and sunnah.

When death is assured, I strictly forbid the following un-Islamic practices: Any form of screaming, questioning Allah about my death, tearing clothes, and/or supplications from pre-

Islamic paganism. Furthermore, I ask that my closest relations perform the following: Close my eyes, tie up my chin with a piece of cloth (to keep my mouth from opening) and to modestly announce my death within the Muslim community.

Please thank my parents, grandparents, brothers, sister, aunts, uncles, etc., for everything that they have done for me and ask them "NOT" to succumb to worshipping God's creation, racism, or severing the ties of kinship.

Please inform everyone present that under Islamic law, my wife is only entitled to mourn my death for 4 months and 10 days. After this time she is free to remarry. Thus, to all my non-Muslim family members, my wife is not to be viewed negatively if she decides to remarry 4 months and 10 days after my death. **May Allah reward her with better than what she lost!** In the case of a widower in Islam, he is permitted to remarry immediately after his wife dies.

FUNERAL AND BURIAL RIGHTS

NO OBTOPSY IS TO BE PERFORMED ON MY BODY.

I would like those of my family or friends, who are closest to me and who possess knowledge of the Islamic way of washing the dead **(preferably my sons)**, to wash my dead body when I die **(Unless I died as a martyr)**. **(A female Muslim should ONLY was the body of another female, and vice versa. In the absence of another female, then her husband is permitted to do so)**

Not everyone is allowed to enter into the area of my deathbed, unless necessary.

All the expenses with regards to the washing, shrouding (3 **pieces of fabric for men and 5 for women**)and burying procedures should be kept to a minimum (no exaggeration or extravagance), and shall be paid for from my own or my family's money.

The actual burial of my body should take place as soon as possible after my death, and in the same town where I died. Under no circumstances do I want the burial of my body to be delayed (i.e. awaiting the arrival of certain people/travelers), nor do I want my face exposed for others to view it in an un-Islamic manner.

I want my funeral procession to be a quiet one, but may be recorded to act as a form of dawah by showing my fellow Christians, and Jews that we Muslims obey the true burial practices that God has ordained (Just like Jesus was **"ALLEGEDLY"** buried in the bible).

Whoever attends my death and/or my funeral has performed his condolences towards my family. The three days, following my death, are to be kept open for receiving condolences from those who did not attend my funeral. No condolences are to be offered after three days of my death, except for those who were out of

town or who were unable to attend for valid reasons; under such special circumstances, they may offer their condolences alone, after my family's sadness has diminished.

I certify myself free of any responsibility towards Allah SWT in such a case that there occurs any forbidden association, mixing, or intermingling between men and women upon my death, seemingly under the guise of offering condolences or under any other reason.

I want my body to be buried in a ladh grave. The grave ought to be dug in proportion, to my size (length), about 8 feet long, 5 feet wide, and approximately 6 feet (deep enough so that wild animals cannot desecrate my body). A chamber should be dug at the floor of the grave on one side, wide and deep enough for my body to fit; about 3 feet high and 3 feet wide. I should then be turned on my right side with my face turned towards the direction of the Qibla (towards Mecca; Northeast if in the USA). A piece of thin ply board should be placed in front of the opening of the chamber to conceal my body. The hole of the grave should then be filled with dirt. **All persons present should throw 3 handfuls of dirt into the hole (in the area of my head) of my grave to assist in filling.** Once the hole is completely filled, make sure that the soil is high enough (not higher than

4 inches above the ground) to ensure that the grave is identifiable.

I ask those, who can, to please remain for sometime after my burial, in order to keep me company while I am being questioned by the Angels of Allah SWT, and pray that I am rewarded with a strong word from Allah and a spacious grave. It would be appropriate during this time, to reflect upon or think deeply about death, and to be prepared for what must become of us all. During this time, please pray for Allah's Mercy on my soul and make a lot of "duah" for me. Please remember that death is a natural phenomenon. We receive our death before we are given life, so crying should not be done in a loud voice as if one is questioning (blaming) Allah for my death.

I beg my children to please be understanding and considerate for my rearing techniques'. Everything I did as a parent was for your benefit. I am your father, not your friend. My obligation was to teach you to worship God as he has instructed, and to make each of you model citizens whom would be regarded as a mercy to the world. I beg you, do not walk proudly through the earth and never question God's actions. Remember, no matter how hard things are, they can always be worst!

My inheritors should pay my debts and financial liabilities as soon as I am buried. If they do not have enough to cover my

debts, I pray that my inheritors shall transfer my debts into their custody, as a guarantee for the rights of my creditors. If for some reason my inheritors are unable to clear my debts, please pray that I will retain a sufficient amount of good deeds in order to be rewarded with paradise.

If I have ever committed any act of injustice towards anyone during my life, then I ask them for their forgiveness.

Please do not conduct weekly ceremonies or gatherings established for the purpose of receiving condolences after my death (No ceremonies after 40 days of my death, no annual ceremonies, or any other innovative activity is to take place in commemoration of my death). Under no circumstances, are any condolences to be received from the same person more than once!

I request of my children to be in constant contact with all their relatives, and to honor my relatives and closest friends after my death. Always look after your grandparents and take care of the poor, needy, and especially the orphans! I also ask that they please be generous in making constant duah (supplication) for me, and **ask Allah to accept all my acts of worship and reward me with the highest level of paradise.**

I ask my family to please plant some ajwah date seeds and fruit trees on my behalf because whoever eats 7 ajwah dates in a day

will never be harmed by witchcraft. If not possible, plant as many fruit trees as you can so that we can receive the blessings from Allah for everything that eat from them.

I ask my descendents to never divide this ummah and to regularly attend all the masjids in the area in an attempt to strengthen the unity of the ummah among its various races. (Note that race is only a social construct; we are all "ONE" people whom originated from the same source; i.e., Adam and his mate)

I entrust my wife with the task of caring for and raising our children according to the Quran and Sunna (way of life) of the prophet (P.B.U.H.). Please also ensure that they acquire the necessary education that is required in order to increase their knowledge so that they can benefit the entire Islamic Ummah and the planet as a whole.

I also request of my wife that she treat my relatives well and be kind to them, specially my grandmother, father and siblings.

I also ask that everyone please send Allah's peace and blessings upon Prophet Mohammed (P.B.U.H.) as many times as Allah's knowledge multiplied by his power. Please say it as many times as you feel necessary.

I also ask everyone to please make it a habit to curse Shaytan (Satan) as many times as Allah's knowledge multiplied by his

power; because, he is deserving to be cursed; and curse shaytan and his companions three times as much anytime someone commits a sin, yawn, mistake, every breath they take, heartbeat, someone is born, someone dies, as many times as the stars in the skies, every time there is the evil eye, someone blinks, the Prophet (P.B.U.H.) is salaamed, Allah is praised, Shaytan communicates with Allah's creation, and when Allah communicates with his own creation.

EXECUTOR AND GUARDIAN

I hereby nominate and appoint _____, presently residing at _____ to be the executor of this, my Last Will and Testament. In the event that he/she will be unwilling or unable to act as executor, I nominate and appoint _____ residing at _____, to be executor of this, my Last Will and Testament.

I give my executor herein named power to settle any claim for or against my estate and power to sell any property, real, personal, or mixed, in which I have an interest, without court order and without bond. I direct no bond or surety for any bond be required for my executor in the performance of his/her duties.

I hereby nominate and appoint_____,

currently residing at _____, to be

the guardian of my children who shall be minor at and after my

death so long as said guardian remains a Muslim of sound mind and

judgment. In the event he/she shall be unwilling or unable to act

as guardian, I nominate and appoint _____,

residing at _____ to be the guardian.

ONLY MUSLIM HEIRS CAN INHERIT FROM MY ESTATE!!!

NONMUSLIM FAMILY/FRIENDS RECEIVE BEQUESTS

Testator's signature:_____

Witness One: _____

Witness Two: _____

OPTIONAL POINTS INCLUDED IN MY WILL

A. I bequest one-eighth of my possessions to be spent on charity projects (i.e. building mosques, Islamic organizations, Islamic institutions (schools), Muslim shelter, medical public clinics, wells in the desert, orphans custody, etc.)

B. In the event that my private library is not being utilized by my heirs, I ask that they donate them to any seeker of knowledge.

Witness One: _____

Witness Two: _____

Self-Proving Will

A self-proving Will, or a self-proving affidavit attached to a Will, certifies that the witnesses and testator properly signed the Will. A self-proving Will makes it easy for the court to accept the document as the true Will of the person who has died, avoiding the delay and cost of locating witnesses at the time of probate. Such Wills are legal in most states. At the time of this writing in late 2007, only Maryland, Ohio, Vermont and the District of Columbia do not permit self-proving Wills.

In many states, a Will is automatically self-proving when two witnesses sign under penalty of perjury that they observed the will-maker sign the document, and that he told them it was his Will. In California, for example, all Wills are considered "self-proved" once they are properly signed and executed by the testator and witnesses. If no one contests the validity of the Will, the probate court will generally accept it without hearing the testimony of witnesses or other evidence. In other states, such as Louisiana, the testator and two or more witnesses must

Will, the probate court will generally accept it without hearing the testimony of witnesses or other evidence. In other states, such as Louisiana, the testator and two or more witnesses must sign an affidavit, or sworn statement, before a notary public certifying that the will is genuine and that all will-making formalities have been observed.

A self-proving Will saves your witnesses and beneficiaries considerable inconvenience by not requiring a court appearance to affirm the Will's validity. It also gives your Will an extra layer of authentication that can help your beneficiaries avoid a long and costly probate process, and can be especially helpful when one or more of your witnesses cannot be located or are deceased.

The self-proving affidavit which is part of or attached to a Will may be similar to the wording from South listed Carolina below:

NOTARY STATEMENT

STATE OF SOUTH CAROLINA TOWNSHIP OF _____

In my presence the Testator has declared or signified that this instrument is _____ [his or her] testament and has signed it at the end and on each other separate page, and, in the presence of the Testator and the Witnesses, I have hereunto subscribed my name this _____ day of _____, 20_____.

[Notary Seal, if any]:

(Signature of Notarial Officer)

Notary Public for the State of South Carolina

My commission expires: _____

Note that in some states an existing Will which was not self-proving when originally executed, can be made self-proving. In New Jersey, for example, an existing Will can be turned into a self-proving Will if, and only if, all witnesses to the original Will are available to sign a short affidavit in the presence of a Notary Pubic. If the witnesses are not available, the only way to have a self-proving Will would be to draw up a new Will and fulfill the self-proving requirements of your state.